

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GEORGE BARTZ, a/k/a George
D. Bartz,

Plaintiff,

vs.

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS, ELDON VAIL,
and BERNIE WARNER,

Defendants.

NO. CV-08-272-CI

ORDER ADOPTING REPORT AND
RECOMMENDATION AND DENYING
PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT, GRANTING IN PART
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT; DISMISSING ALL FEDERAL
CLAIMS AND DECLINING SUPPLEMENTAL
JURISDICTION

BEFORE THE COURT is Plaintiff's Objection to Report and
Recommendation to Deny . . . (ECF No. 107). Plaintiff is a *pro*
se prisoner at the Airway Heights Correction Center. After review of
Mr. Bartz Objections and the file as a whole, for the reasons set
forth by the Magistrate Judge, **IT IS ORDERED** the Report and
Recommendation (ECF No. 106) is **ADOPTED in its entirety. IT IS**
ORDERED that:

1. Defendant's Motion for Summary Judgment, **ECF No. 93**, is
GRANTED in part;

2. Plaintiff's Motion for Summary Judgment, **ECF No. 100**, is
DENIED;

1 3. Plaintiff's § 1983 claim is dismissed for failure to state a
2 claim;

3 4. Plaintiff's Supremacy Clause claim is dismissed for failure
4 to state a claim; and

5 5. Plaintiff's state law claims are dismissed without prejudice;

6 **IT IS FURTHER ORDERED** all pending motions are **DENIED as moot.**

7 **IT IS SO ORDERED.** The District Court Executive is directed to
8 enter this Order, forward a copy to Plaintiff at his last known
9 address, enter judgment, and **close the file.** The District Court
10 Executive is further directed to forward a copy of this Order to the
11 Office of the Attorney General of Washington, Criminal Justice
12 Division.

13 **DATED** this 9th day of April, 2013.

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15 ***s/Lonny R. Suko***

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17 LONNY R. SUKO
18 UNITED STATES DISTRICT JUDGE
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